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PRESIDENT JACKSON AND THE TEXAS REVOLUTION

JOHN QUINCY ADAMS with his monumental diary proved that General Jackson was willing in 1819 to see the United States relinquish her vague claims to Texas in return for the definite advantages of the Floridas.¹ But when the Texas fever did attack him the treaty of 1819 appeared an egregious blunder, and, while fiercely denying that he had ever approved it,² he spent no little time and energy in trying to rectify it. Did he in doing so resort to the Machiavellian intrigues which have sometimes been ascribed to him?³ It is the aim of the present paper to submit evidence for the defense which it is hoped may point the way to a positive acquittal. It will consider: (1) the efforts of President Jackson to purchase Texas, (2) his connection with Sam Houston's alleged plot to revolutionize the country, and (3) the charges made against the government of breach of neutrality during the Texas revolution, (a) in contributing men, money, and supplies to the rebels, and (b) in the occupation of Nacogdoches by General Gaines.

To Adams the treaty was always a blunder. He opposed it when it was made, and within twenty days of his inauguration as president had taken steps to regain as much of Texas as its new mistress could be induced to surrender. On March 26, 1825, Clay at his request instructed Poinsett to approach the Mexican government for a readjustment of the Texan boundary. The Sabine was unsatisfactory to the United States, and he suggested that the Brazos, the Colorado, or even the Rio Grande might be substituted for it. Nothing came of this, and again in 1827 (March 15) Clay wrote Poinsett that the President was willing to promote the success of the negotiation "by throwing into it other motives than those which strictly belong to the subject itself". Therefore he was authorized to offer a million dollars for a line beginning at the mouth of the Rio Grande, following that river and the Pecos to the source of the latter, thence north to the Arkansas, and then

¹ Adams, *Memoirs*, IV. 238-239, XI. 348, 349, XII. 131; Sumner, *Andrew Jackson*, 67; Parton, *Life of Andrew Jackson*, II. 584-588.

² Schouler, *History of the United States*, IV. 251 and note; Niles's *Register*, L. 185.

³ Adams, *Memoirs*, XI. 349; Wise, *Seven Decades of the Union*, 148; Sumner, *Andrew Jackson*, 354; Schouler, *History of the United States*, IV. 251.

along that river and the forty-second parallel to the Pacific Ocean. For the alternate line of the Colorado he might offer half the sum. The President thought it an auspicious time to urge the negotiation, because he was led to believe, said Clay, by the great size and frequency of the grants which Mexico had been making in Texas to colonists from the United States, that the government did not value land very highly. Moreover, the emigrants now flocking to Texas would carry with them their own principles of law, liberty, and religion; collisions might be expected—some, in fact, had already occurred;—and these would be likely to “enlist the sympathies and feelings of the two Republics, and lead to misunderstandings” And, altogether, the President was of the opinion that the boundary of the Sabine brought Mexico nearer to “our great western commercial capital than is desirable.”¹ Poinsett was by this time, however, keenly aware of the Mexican sensitiveness to the subject, and did not even present the proposal, knowing that it was wholly impracticable and would aggravate the irritation already existing between the two countries.² Thus the matter stood at the beginning of Jackson’s administration.

President Jackson took up the subject less promptly than Adams had done. Nearly six months of his first term had expired before Secretary Van Buren wrote Poinsett (August 25, 1829) to renew the overtures to Mexico. Four lines were suggested as acceptable in varying degrees to the United States. The most desirable one would begin in the centre of the “desert or Grand Prairie,” west of the Nueces, the next would follow the Lavaca River, the third the Colorado, and the fourth the Brazos. For the first line he might offer four million, or if “indispensably necessary”, a maximum of five million dollars, and for the others a proportionate part of that sum. The President was induced to make this liberal offer, Van Buren said, “by a deep conviction of the real necessity of the proposed acquisition, not only as a guard for our western frontier, and the protection of New Orleans, but also to secure forever to the inhabitants of the valley of the Mississippi the undisputed and undisturbed possession of the navigation of that river”. Numerous reasons were suggested why Mexico ought to be glad to make the cession on these terms: the Sabine boundary was not definitely settled—the United States government saw good reason to contend

¹ MSS. Department of State, Instructions to Ministers, volume 11, pp. 270–273. Sumner (*Andrew Jackson*, 352, note 2) thinks that the attempt to buy Texas was taken on Clay’s initiative rather than Adams’s; but see Adams, *Memoirs*, XI. 365, and Niles’s *Register*, LXII. 138.

² Clay’s Raleigh Letter, April 17, 1844, in Niles’s *Register*, LXVI. 152.

for the so-called Neches as the river intended by the treaty of 1819—and it would take long and tedious negotiations to determine the point; even if the question were settled in favor of Mexico, the nature of the boundary would inevitably require a large army to prevent wholesale smuggling; the large and increasing Indian population in Texas would place another burden on the inadequate military department; the notorious lack of confidence between Mexico and the present inhabitants of Texas, which had “in the short space of five years displayed itself in not less than four revolts, one of them having for its avowed object the independence of the country”, must eventually involve the United States and Mexico in misunderstandings—though the former maintained an unswerving neutrality; and finally “the comparatively small value of the territory in question to Mexico, its remote and disconnected situation, the depressed and languishing state of her finances, and the still, and at the present particularly, threatening attitude of Spain, all combine to point out and recommend to Mexico the policy of parting with a portion of her territory, of very limited and contingent benefit, to supply herself with the means of defending the residue with the better prospect of success, and with less onerous burthens to her citizens”. If Poinsett did not from his general knowledge of Mexican sentiment think it impolitic, he could further urge that because of her successive revolutions and the hostility of Spain the government was very unsettled and the confederation exposed to the danger of dismemberment. In such an event every one must see that “the first successful blow would, most probably, be struck in Texas”.¹

These instructions were largely based on an elaborate report prepared by that arch-schemer, Colonel Anthony Butler, of Mississippi, on the economic, political, social, and geographical condition of Texas. So far as one can check it, it appears on the whole accurate, except as to the four revolts in Texas.² Professor Von Holst thought it very inconsiderate of Jackson to take advantage of Mexico's distress and urge this cession when Spain was threatening invasion,³ but one can only wonder whether Adams would have refrained, had the same conditions existed in 1827. Certainly Jackson does not suffer in a pecuniary comparison: he offered four million dollars more than Adams for a territory thousands of square miles smaller.

¹ MSS. Department of State, Special Missions, Volume I., pp. 34-50.

² The report and Jackson's rough draft of the letter to Poinsett are among the Van Buren MSS. in the Library of Congress.

³ Von Holst, *Constitutional and Political History of the United States*, II. 555.

But Poinsett was not the man to carry this negotiation to a successful issue. He had made many enemies during his four years at the Mexican capital, so about the middle of October President Jackson recalled him, notified Butler on October 19 of his appointment, to replace Poinsett, and expressed complete confidence in his success. He was sure, he said, that if Texas was not purchased, it would create jealousy between the United States and Mexico, on account of the Americans settling there; they would declare independence as soon as their numbers justified, and the United States would be accused of instigating it, though all "constitutional powers will be exercised to prevent".¹

Butler arrived in Mexico at an inopportune time. The public was very suspicious, and the press chose to regard the proposition to purchase Texas as a national insult. This feeling expressed itself officially in the celebrated report which the secretary of foreign relations, Lucas Alaman, introduced into Congress, February 8, 1830.² It recommended, in effect, that immigration from the United States to Texas be henceforth prohibited, and on April 6 this recommendation became a law.³ The law was received in Texas with some little ebullition,⁴ and this in turn increased the storm in Mexico. Butler wisely decided, therefore, to wait and say nothing, and it was not until the middle of 1831 that he manifested any activity on the subject nearest his heart. On June 23 he wrote President Jackson that he had high hopes for the pecuniary feature of the proposition: "As the influence of money is as well understood and as readily conceded by these people as any under Heaven, I have no doubt of its doing its office." But he asked whether, in view of the great importance of the object, he might not be authorized to offer as much as seven millions, if it appeared necessary. To this the President replied, August 17, that it had been unanimously decided in executive council that the maximum must not exceed five million dollars.

On February 27, 1832, Butler wrote that the government was very much pressed for money, because General Santa Anna had seized the custom-house at Vera Cruz and was raising a revolution against President Bustamante. He had improved the occasion,

¹ Jackson to Butler, October 19, 1829. Jackson MSS. in the Library of Congress. Letters not otherwise cited in this paper belong to this collection.

² The report is printed in Filisola, *Memorias para la Historia de la Guerra de Tejas*, II. 590-612. There is a partial translation in 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., pp. 312-322.

³ Dublan y Lozano, *Legislacion Mexicana*, II. 238-240.

⁴ Rowe, "The Disturbances at Anahuac", in *Quarterly of the Texas State Historical Association*, VI. 269.

therefore, to intimate to the minister of foreign affairs that if matters got very bad, arrangements might be made for getting several millions from the United States. Jackson approved this as a very "judicious" suggestion, and expressed the hope that it "may lead to happy results in settling our boundary".

A letter of July 18 revealed Butler's method of working. He had been cultivating Señor Alaman, the minister of foreign affairs, and believed that the prize was almost in his grasp. He wrote, "The amount to which I am limited for the purchase by my instructions will very probably be in part applied to *facilitate the Negotiation*, in which case we shall provide for that portion of the payment by a secret article." If the President replied to this he failed to preserve a copy of his letter, but we shall find him later expressing his opposition to the plan in no uncertain terms.

In the meantime, the revolution in Mexico reached an acute stage, and the resultant confusion prevented further operations on Butler's part for several months. On the fall of Bustamante, General Pedraza by a peculiar arrangement shouldered the presidential burdens, to serve out the remaining three months of a term for which he had been elected and from which he had resigned in 1828.¹ Santa Anna was expected to succeed him in April, 1833. Of Pedraza Butler wrote, January 2, 1833, that he was said to be very much opposed to the further westward extension of the United States boundary. By "one road", however, he hoped "to reach him and vanquish his scruples". But if he still continued obstinate, it would be necessary to wait for the new administration, which at the worst would entail no more than an additional three months of delay. He finished with these determined words, "I will succeed in uniting T—— to our country before I am done with the subject or I will forfeit my head." On February 10 a new thought occurred to him. The government was almost bankrupt, and he asked whether the United States could not advance a loan of five millions, and take a mortgage on Texas for security. This would be tantamount to an outright sale of the territory, he said, because there was not the least probability that the money could ever be repaid.²

On March 20 Edward Livingston at the President's request replied that there was no constitutional authority for such a transaction on the part of the United States government, and that therefore it was impracticable. He added an admonition to hasten the

¹ Bancroft, *History of Mexico*, V. 123-124.

² 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., p. 466.

negotiation, saying. "The situation of affairs in the State of Texas y [and] Coahuila makes it important that your negotiation on that subject should be brought to a speedy conclusion. It is at least doubtful whether in a few weeks any *stipulation could* be carried into effect."¹ This communication has been interpreted as proving that President Jackson was too well informed concerning Texan affairs to have been entirely guiltless of shaping them himself. Professor Van Holst misstates its terms somewhat, saying that the President "had an order given to Butler through Livingston to break off the negotiations for the purchase, because they would soon become objectless, for the reason that the American colonists of Coahuila intended to declare their independence in a convention on the 1st of April, 1833",² while Adams insinuatingly remarked, that in the documents communicated to the House in 1838, "This precise knowledge of Jackson, to a day, of the intended design of the colonists to declare their independence as early as April, 1833, was suppressed."³

One naturally asks, how did Jackson get his information? And at first blush it does not help his case, perhaps, that the answer is, from his friend Sam Houston. But Houston's letter is apparently a casual one, and at least does not indicate a collusive understanding between himself and the President. He knew, for it was no secret, that Jackson wanted to acquire Texas, so he wrote him the latest news from that interesting country. His letter was dated at Natchitoches, Louisiana, February 13, 1833, and runs, in part, as follows:

Having been so far as Bexar [San Antonio] in the province of Texas, . . . I am now in possession of some information which will doubtless be interesting to you, and may be calculated to forward your views, if you should entertain any, touching the acquisition of Texas by the Government of the United States. That such a measure is desired by nineteen-twentieths of the population of the province I cannot doubt . . . The people of Texas are determined to form a State Government and separate from Coahuila, and unless Mexico is soon restored to order, and the constitution revived and re-enacted, the Province of Texas will remain separate from the confederacy of Mexico. . . . My opinion is that Texas, by her members in Convention, will, by 1st of April, declare all that country [from the Rio Grande] as Texas proper, and form a State Constitution. I expect to be present at the Convention and will apprise you of the course adopted, as soon as its members have taken a final action. It is probable that I may

¹ MSS. Department of State, Instructions to Agents to Mexico, Vol. 14, p. 292.

² Von Holst, *Constitutional and Political History of the United States*, II. 563.

³ Adams, *Memoirs*, XI. 368.

make Texas my abiding-place. In adopting this Course *I will never forget* the country of my birth.¹

Returning now to Colonel Anthony Butler, we find that his hopes were disappointed in the new Mexican administration. Santa Anna became president in April, 1833, but for a year he only occasionally exercised the duties of the office, and during his frequent and prolonged absences power rested in the hands of the vice-president, Gomez Farías—a narrow-minded but reputedly honest and patriotic citizen. The unstable equilibrium created by the alternation between the policies of Santa Anna and Farías, and the upright character of the latter, were not favorable to Butler's operations, and by the end of September (26th) he despaired of success, unless President Jackson would consent to apply pressure in a way which he proceeded to indicate.

A glance at the map will show that the Sabine River, some miles above its mouth, flows through a considerable lake. West of the Sabine the Neches River flows into the same lake. By the treaty of 1819 the boundary of the United States followed the west bank of the Sabine from its mouth,² which would necessitate crossing the Neches where it debouched into the lake. Jackson believed, however, that the Neches was merely a westerly branch of the Sabine, therefore the territory between the Sabine and the so-called Neches belonged to the United States. The question was suspended by agreement, pending the findings of a future boundary commission. Butler now urged that the President occupy this disputed strip, and garrison Nacogdoches. The Texan colonists would not consent to see the country divided and would revolt from Mexico, which would then, no doubt, accept his offer and sell to the United States. On October 2 he urged this again, and argued the boundary ambiguity naively and at length. To one acquainted with Texas streams his description of the Neches is ludicrous. It was nearly a mile wide, he said, where it flowed into the lake—"a bold and deep" navigable river; while the Sabine was shallow and unnavigable. Had Mr. Adams known the topography of the country, he was very certain "that a different *specification of boundary* would have been made". Therefore "the question is whether common sense and the reason of the thing does not authorize the interpretation that the western branch of the two rivers . . . should . . . be deemed the branch contemplated in the treaty as the boundary". No reply from the President is found.

¹ Crane, *Life and Select Literary Remains of Sam Houston*, 46-47.

² *United States Treaties and Conventions* (ed. 1889), 1017.

On October 28, reverting to his earlier notion of gaining the object by indirect methods, Butler wrote a letter which drew an indignant rejoinder from President Jackson. He said that a high official had recently opened the subject with him by asking if he had "command of money". "I remember that you [President Jackson] had instructed me to use the money at my discretion and answered, Yes." He then said that two or three hundred thousand dollars would be required to get the support of an important person, without whose aid nothing could be done, and that three or four hundred thousand might have to be distributed to others. "I replied that I could arrange for the money if assured of the object"; and the official left, saying that he would continue the subject as soon as Santa Anna returned to the city. Of course you know, Butler added, who the "important" man is.

Jackson answered this letter the day he received it, November 27, 1833. He said that he had read it with care and astonishment—astonishment because such a communication had ever been entrusted to the mails without reducing it to cipher; because his own private letters and instructions had been interpreted as authority for saying that Butler "had money"; because his authorization to apply the money at discretion had been construed to mean "that I authorized you to apply it to corruption, when nothing could be further from my intention than to convey such an idea". He then explained what he had meant by "discretion". He wanted Texas, if acquired at all, to be unincumbered by Mexican grants whose conditions had not been fulfilled by the grantees, and had suggested, therefore, that Mexico could extinguish such grants by buying back the rights of the grantees, and instructing the United States to pay them with a part of the five million dollars. Butler could agree to such stipulations for the distribution of the money as his "discretion approved". "All the U. S. is interested in is the unincumbered cession, not how Mexico applies the consideration. . . . Therefore I repeat the best means to secure the object is left to your discretion—but I admonish you to give *these shrewd fellows* no room to charge you with tampering with their officers to obtain the cession thro corruption. Your duty is in exercising your sound discretion to obtain the cession of Texas to the boundary named. . . . But we are deeply interested that this treaty of cession should be obtained without any just imputation of corruption on our part." Again he repeated, "Let us have a boundary without the imputation of corruption." He urged haste in the negotiation, and instructed Butler, if he thought there was no probability of success

in arranging a boundary, to inform him, so that "we may proceed to make one ourselves, making the necessary notification through you that we will run the line and take possession of Nachedoges" [Nacogdoches].

On February 6, 1834, Butler wrote with an injured air that the President had said "*that it was a matter of no consequence to the gov't how the money was disbursed*", and he certainly did think himself justified in believing that he was authorized to act at discretion. He was convinced that the negotiation could only be completed by bribery, "or by presents if the term is more appropriate". A month later he wrote (March 7) that there was no hope of gaining Texas without taking forcible possession of that part which already belonged to the United States. "If you will withdraw me from this place and make the movement to possess that part of Texas which is ours, placing me at the head of the country to be occupied, I will pledge my head that we have all we desire in less than six months without a blow and for the price we are willing to pay for it." It was for Jackson's glory, he added, that he wished to see this done. On this letter the president wrote the following endorsement: "A. Butler What a scamp. Carefully read. The Secretary of State will reiterate his instructions to ask an extension of the treaty for running boundary line, and then recal him, or if he has recd his former instructions and the Mexican Gov't has refused, to recal him at once."

Butler continued to hold out hope, however, and did not return to the United States until the middle of 1835, and then he came on leave. On June 6, 1834, he wrote that if he could have just one hour's conversation with the President he was sure that he could return to Mexico "with the prospect of being much more useful". On November 21 he wrote that Santa Anna had asked him to suggest some way for his government to obtain money, and he had done so. Santa Anna then said that he would send Alaman to talk it over. From this Butler inferred that Alaman would soon hold the portfolio of foreign affairs, and from that gentleman, he said, "we may expect to gain all we have a right to ask". The subject was already "understood" between them. On December 24 he wrote that Señor de Estrada was minister of foreign relations, Gutiérrez minister of State, and Alaman was in Congress. With this combination he thought our prospects very bright.

In June, 1835, Butler was in Washington for a personal interview with the President. The time had at last arrived, he said,

for settling the matter in the most advantageous and satisfactory way, and on the terms of the United States, "simply by modifying a disbursement of the money to be paid". In support of his convictions he submitted a copy of a letter from Padre Hernandez, the confessor of Santa Anna's sister and a confidential agent of Santa Anna himself. It was dated March 21, 1835, and ran in part as follows: "The negotiation which you have so long desired to effect is, as I have often told you, perfectly within your power; nothing is required but to employ your means properly. Five hundred thousand dollars judiciously applied will conclude the affair, and when you think proper to authorize me to enter into the arrangement depend upon my closing it to your satisfaction." Butler's letter enclosing this copy is dated June 17; on the 22d the President endorsed it: "Nothing will be countenanced by the executive to bring this government under the remotest imputation of being engaged in corruption or bribery. . . . We have no concern in the application of the consideration to be given. . . . The public functionaries of Mexico may apply it as they may deem proper to extinguish *private claims* and give us the cession clear of all incumbrance except the grants which have been complied with."¹

On July 2 Forsyth informed Butler that the President was determined that no measures "of even an equivocal character" should be employed in the negotiations, and that no confidence was felt in his ability to accomplish anything further. However, since Butler himself seemed hopeful, he might return to Mexico and make a final effort. But he must act quickly and return in December so that a report could be made to Congress.² It is perhaps sufficient to say that he accomplished nothing and that in October the Mexican government requested his recall, on the ground that there were imputed to him "intrigues unbecoming a diplomatic agent".³ The President complied, and appointed as his successor Mr. Powhatan Ellis.

It is said that in 1832 a Louisiana paper published an item to the effect that General Houston had gone to Texas for the purpose of inciting a rebellion and that he might be expected soon to be seen raising his flag. Admitting that he did have some such object tentatively in mind—and there is some evidence to support that view,⁴—it has often been strongly hinted and sometimes openly

¹ MSS. Department of State, Despatches from Agents to Mexico, Vol. 6.

² MSS. Department of State, Instructions to Agents in Mexico, 1835, p. 49.

³ MSS. Department of State, Communications from Agents of Mexico, 1835.

⁴ See John Van Fossen to Houston, August 3, 1832, in Crane, *Life and Select Literary Remains of Sam Houston*, 48-49; also Jackson to Van Buren,

charged that President Jackson connived at his plot. The primary authority for this is a somewhat hysterical story told by a Dr. Robert Mayo and strengthened by the well-known friendship between Houston and Jackson and the not altogether unbiassed acceptance of Mr. Adams. Mayo was an eccentric, gossipy, meddlesome person, who, by his own account, once admired General Jackson to the point of hero-worship. His disillusionment came in this wise: In 1830 fortune threw him in the way of a slight intimacy with Houston. As the acquaintance ripened the latter confessed that he was preparing an expedition in the United States to wrest Texas from Mexico and make it an independent country. He offered Mayo a surgeon's appointment in his army. This was declined, and their friendship progressed no further. Houston had spoken only vaguely of his method of procedure, but Mayo learned more of it later from a chance-met fellow-lodger in a Washington boarding-house, a Mr. Hunter, lately dismissed from West Point. By pretending to know more than he did, he led Hunter to reveal the whole plan. Hunter declared that he himself was a recruiting agent for the Washington district; "that there were agencies established in all the principal towns, and various parts of the United States. . . . That several thousands had already enlisted, along the sea-board from New England to Georgia, inclusive. That each man paid thirty dollars to the common fund, and took an oath of secrecy and good faith to the cause on joining the party. That they were to repair, in their individual capacities, as travellers, to different points on the banks of the Mississippi, where they had already chartered steamboats, on which to embark, and thence ply to their rendezvous, somewhere in the territory of Arkansas, or Texas, convenient for action,—and that they meant to establish an independent government, and resist any attempt of the United States to wrest so valuable a prize from them."

Dr. Mayo felt it his duty to apprise the President of this contemplated breach of our neutrality laws, and did so verbally in November, 1830. At the subsequent request of the President he made his communication in writing (December 2, 1830). Much to his surprise the president's message of December 7 did not refer to the subject. On the contrary it declared our relations with Mexico entirely satisfactory. But six years passed before an incident convinced him of Jackson's hypocrisy, and caused him to resolve, in his own words, "NEVER TO SEE HIM MORE."

January 23, 1838 (Van Buren MSS. in Library of Congress), in which General Jackson quotes from his letter-book an entry of May 31, 1829, regarding a statement made to him by General Duff Green, page 802, note 2, below.

Late in 1836, when President Jackson was getting ready to leave the White House to its new tenant, he returned many letters which Mayo had written him, and among them that of December 2, 1830. With it, according to Mayo's story, was inadvertently enclosed a copy of a letter which Jackson wrote on the subject to William Fulton, secretary of the territory of Arkansas.¹ To Mayo it carried proof that the President had believed his story but yet had taken no adequate steps to prevent the expedition—which was equivalent to conniving at it. He thought that more extensive, not to say public, efforts should have been made to investigate it; but what struck him "with petrifying amazement" was the inconsistency revealed between the suspicions expressed in this letter and the beliefs asserted in the message three days before it was written.²

This letter, which Mayo regarded as so damning, is printed by him in fac-simile. It is as follows:

Strictly Confidential.

WASHINGTON, Dec^{br}. 10th, 1830

Dr Sr

It has been stated to me that an extensive expedition against Texas is organizing in the United States, with a view to the establishment of an independent government in that province and that Genl Houston is to be at the head of it. From all the circumstances communicated to me upon this subject, and which have fallen under my observation, I am induced to believe, and hope, (notwithstanding the circumstantial manner in which it is related to me) that the information I have received is erroneous, and it is unnecessary that I add my sincere wish that it may be so. No movements have been made, nor have any facts been established which would require, or would justify the adoption of official proceedings against individuals implicated, yet so strong is the detestation of the criminal step alluded to, and such my apprehension of the extent to which the peace and honor of the country might be compromised by it, as to make me anxious to do everything short of it which may serve to illicit the truth, and to furnish me with the necessary facts (if the[y] exist) to lay the foundation of further measures. It is said that inlistments have been made for the enterprise in various parts of the Union—That the confederates are to repair as travellers to different points of the Mississippi, where they have already chartered

¹ General Jackson declared in 1838 that Mayo could only have obtained it by purloining it. (Jackson to Blair, July 19, 1838; August 9, 1838. Jackson MSS. Jackson to Blair, August 14, 1838. Van Buren MSS.) His reasons for so believing are given in his letter to Blair of August 9, and essentially the same reasons were later repeated in an affidavit. See Mayo, *The Affidavit of Andrew Jackson*, etc. (third edition, Washington, 1840), pp. 5-6.

² Mayo, *Political Sketches of Eight Years in Washington* (Baltimore, 1839), 117-129. Preliminary portions of this book were published in 1837, and doubtless Adams and some of Jackson's friends had seen them at the time when the controversy arose early in 1838.

steam Boats on which to embark—That the point of rendezvous is to be in the Arkansa Territory, and that the co-operation of the Indians is looked to by those engaged in the contemplated expedition.

I know of no one whose situation will better enable him to watch the course of things, and keep me truly and constantly advised of any movements which may serve to justify the suspicions which are entertained than yourself, and I know I can rely with confidence on your fidelity and activity. To secure your exertions in that regard, is the object of this letter, and it is because I wish it to be considered rather as a private than an official, act, that it is addressed to you instead of the governor, (who is understood to be now in Kentucky).

The course to be pursued to effect the object in view, must of necessity be left to your discretion—enjoining only, that the utmost secrecy be observed on your part. If in the performance of the duty required of you any expenses are necessarily incurred by you, I will see they are refunded.

I am respectfully yours

ANDREW JACKSON

Wm. Fulton, Esqr.¹

Mayo contended that the President did not want an investigation made and that this letter was intended merely to put the matter to sleep. Knowing from Mayo of the letter, but not disclosing its contents, John Quincy Adams early in January called on the State Department to transmit it to the House. Neither a copy of the letter nor any correspondence from Fulton in regard to it could be found in the files of the department.² Reading the letter in the House in July, Adams admitted that its contents were all that the circumstances demanded—only it had never been sent.³ This he maintained because of the absence of any record in the State Department. Jackson pertinently asked why Adams, if he honestly desired to know whether the letter had been sent and received, did not apply to Fulton, now a Senator from Arkansas, and so close at hand.⁴

For Fulton, between whom and Jackson there had been an active correspondence in these intervening months since Adams made his call, declared⁵ that he did receive the letter, and that he made an investigation and sent several reports to the President which “fully authorized the conclusion that there was not at that time (1831)

¹ Mayo, *Political Sketches*, facsimile between pages 124 and 125. Long before Mayo's book was published printed copies of the letter were numerous. See the *National Intelligencer*, July 19, 1838; *Globe*, July 21, 1838.

² The *Globe*, January 8, July 7, 21, 1838. See also Forsyth to Jackson, February 14, 1838. Jackson MSS.

³ *Globe*, July 7, 1838.

⁴ Jackson to Fulton, July 19, 1838. Jackson MSS.

⁵ His first statement was in a letter to Howard. *National Intelligencer*, July 21, 1838.

any hostile movements whatever on foot in Arkansas against Texas or Mexico".¹

Adams then countered with the argument that, even if the letter was sent, Jackson's duplicity was proved by his addressing it to the secretary instead of to the governor of Arkansas who was really at his post and not absent in Kentucky as alleged.² That is to say, there was an understanding between Jackson and Fulton to smother the whole thing.

This charge on the part of Adams would seem, however, to have been gratuitous. He failed to make out a case. On the contrary, the case for the defense became, before the affair was ended, fairly clear. For the original of the letter in question was eventually found in Arkansas and sent to the State Department, where it was placed on file. Besides, the whole tone of the correspondence between Jackson and Fulton in search for the missing letter and between Jackson and Blair and Van Buren relative to the episode has a straightforwardness that is convincing, and is without suspicion of collusion or connivance. Adams, on the other hand, whatever we may think of the way in which he obtained the letter and the use he made of it, had laid his motives open to serious criticism by making and reiterating his charges without seeking for the facts right at his hand and, apparently, by manoeuvring

¹ *Globe*, August 29, 1838. Fulton, writing to Jackson, January 11, 1838, states that he recollects the letter as one of which Jackson may be justly proud, but, as he has neither the letter nor a copy of his reply with him, desires Jackson to send him copies of both that he may use them as occasion may seem to demand. Before receiving this letter from Fulton Jackson had written to Fulton and also to Forsyth, quoting an entry in his memorandum book (see note 2, page 802), and stating that the letter and Fulton's report would probably be found in the War Department. He therefore asked that the files of the War Department be searched, and that all letters, official or unofficial, confidential or otherwise, together with Fulton's replies, be communicated to the House of Representatives. (Jackson to Fulton, Jackson to Forsyth, January 23, 1838. Jackson MSS.) As nothing was found in the War Department, Fulton writes that when he returns to Arkansas he will obtain the letter. See Poinsett to Forsyth, February 8, 1838; Forsyth to Jackson, February 14, 1838; Fulton to Jackson, February 17, 1838; also Jackson to Forsyth, March 6, 1838, and Fulton to Jackson, April 1, 1838. All these letters are among the Jackson MSS. See also Jackson to Van Buren, January 23, 1838; Van Buren MSS.

² *National Intelligencer*, August 27, 1838; *Globe*, August 28.

³ Fulton, finding that he would be unable to go to Arkansas during the summer, wrote to his father to search for the letter and copies of replies or reports on the investigation of Houston's alleged activities in Arkansas and to send them to Washington. The letter itself was found, but no replies from Fulton to Jackson, it seems, were ever discovered. See Fulton to Jackson, January 26, 1839; David Fulton (father of Senator W. S. Fulton) to Jackson, February 18, 1839; Forsyth to Jackson, March 14, 1839; W. S. Fulton to Jackson, August 21, 1839. Jackson MSS.

to prevent an investigation. On July 21 Jackson wrote to Adams demanding that the letter which the latter had read on the seventh be returned to him, and that Adams explain how he had obtained it. The letter to Adams was sent to Blair to be delivered, but as Mayo meantime had made the necessary revelation, Jackson's letter to Adams was withheld.¹

Removed from the heat of debate, Adams's argument can hardly be regarded as serious. The general was not one to look ahead and manufacture evidence for a possible contingency, and if he wanted nothing done, why did he write at all? As a matter of fact, he heard something of Houston's wild vaporings more than a year and a half before Mayo told his startling story, and immediately instructed Governor Pope to block any movement that might be made from Arkansas.² All things considered, does the letter not evince an honest desire to get at the truth? There were sufficient diplomatic reasons for wishing to keep the investigation secret.

Houston's alleged relation to the Texas revolution should here be noticed, too. He may have been nursing some Burr-like project in his active brain when he made his first visit to Texas. He did attend the Convention of April, 1833, and the constitution there adopted for the proposed state of Texas—which, be it remembered, was to remain a member of the Mexican confederation—was largely his work. But his life is a blank to history for the next two years, and it is not till past the middle of 1835, when the revolution was well under way, that we find him at Nacogdoches, speaking at a

¹ The letter to Adams which Jackson sent to Blair and also the draft are among the Jackson MSS. See also Blair to Jackson, July 30, 1838; Blair to Jackson, August 2, 1838; Jackson to Howard, August 2, 1838; Jackson to Blair, August 9, 1838; Blair to Jackson, August 23, 1838; B. C. Howard to Jackson, August 29, 1838; Jackson MSS. Jackson to Blair, August 14, 1838; Van Buren MSS. Mayo's letter to Gales and Seaton, *National Intelligencer*, August 2, 1838.

² Jackson to Van Buren, January 23, 1838. Van Buren MSS. "I have searched my Executive Book,—I can find no letter written by me to Secretary of the Territory of Arkansa Judge Fulton about the tenth of December 1830, on the subject of Texas or Mexico, but I have found the following memorandum on my memorandum Book it is as follows, 'May 21st, 1829. Genl Duff Green has furnished me with an extract of a letter from Doctor Marable to Genl Green, containing declarations of Governor Houston, late of Tennessee, that he would conquer Mexico, or Texas and be worth two Millions in two years etc. etc. Believing this to be the mere efusions of a distempered brain, but as a mere precautionary measure I have directed the Secretary of War to write, and enclose to Governor Pope of Arkansa this extract, and to instruct him to make diligent enquiry and if such illegal project should be discovered to exist, to adopt prompt measures to put it down and to give to the Government the earliest intelligence of such illegal enterprise, with the names of all those who may be concerned therein.' " See Van Buren's letter to Jackson, January 10, 1838. Van Buren MSS.

³ Copy in Edward, *History of Texas*, 196-205.

public meeting. The revolution was principally developed in the so-called Department of the Brazos, which covered most of the territory between the Trinity and Guadalupe Rivers and did not include Nacogdoches. The writer has examined hundreds of letters and public documents, both Texan and Mexican, on the development of the revolution, has collected with few exceptions the proceedings of all the public meetings and revolutionary committees, and has found nowhere a single reference to General Houston. In August, 1835, the Mexican authorities made a demand for the principal leaders of the war party, but Houston's name was not on the list. This, of course, is negative evidence, but it is strong, and ought to justify the conclusion that Houston was not even secretly active in instigating the revolution. It is hardly within the bounds of possibility that he could have concealed every trace of his work, if the contrary were true. When the revolution was once begun able men were needed, and his recognized qualities and military experience carried him early to the front.

Pausing for a moment to review the evidence at this point, there appears no sufficient reason to accuse Jackson of conniving at Houston's project to revolutionize Texas or of countenancing Butler's underhanded intrigues for influencing his negotiations. On the contrary, his attitude is straightforward and apparently above reproach. It is necessary now to examine briefly his conduct during the Texas revolution.

As the result to some extent of antecedent causes, and particularly of the mutual distrust between the American colonists and the Mexican government, the Texas revolution developed rapidly through 1835. The first blow was struck in October, and by the end of the year every Mexican soldier was expelled from the country. But the next spring Santa Anna came with an overwhelming army, and for a time carried everything before him. The holocausts of the Alamo and Goliad spread horror and indignation wherever they were heard of, and struck terror to thousands in Texas. As Santa Anna advanced, a wild flight to the Sabine was begun, and women, children, and slaves formed an endless, suffering procession of refugees from the Guadalupe to the western limits of the United States. The weather was cold, it rained incessantly, and many without a conveyance struggled through the mud on foot. By rare good fortune Houston caught the Mexican general in a trap—he did not lead him into it, as is

¹ Proceedings of the meeting at Nacogdoches, August 15, 1835. MS., Austin Papers, L 6, at the University of Texas.

commonly believed—and crushed him at San Jacinto, April 21, 1836. This stopped the panic-stricken flight from the country—the “runaway scrape”, as it came to be called.

The Texan rebels had expected help from the United States, and they received it; they would unquestionably have received a great deal more, if the revolution had lasted longer. Public meetings were held in Boston, New York, Philadelphia, Pittsburgh, Cincinnati, Baltimore and Washington. Large sums of money were subscribed, and from New York, Pittsburgh, and Cincinnati companies of volunteers were sent. Throughout Kentucky, Tennessee, Mississippi, Georgia, Alabama, and Louisiana the excitement was high and many volunteers “emigrated” to Texas, the expenses of their equipment being paid by those who remained at home.¹ Even from far-off Maine at least one letter was received by the provisional governor of Texas offering military service, Messrs. Augustus and William C. White vowing “that we will act the brave part of a soldier which you would require of us . . . we solemnly vow that we will fight or die for your country”,²—provided their expenses were paid to the scene of operations.

The fact that armed bands were leaving the United States to join the Texans was notorious, and brought repeated protests from the Mexican *chargé d'affaires* that the government was not sufficiently active in enforcing neutrality.³

It may be at once conceded that no very strenuous efforts were made to put in force the spirit of the law of April 20, 1818, but, after all, was not the law itself at fault? It gave the executive no adequate power to prevent a filibustering expedition. Forsyth industriously wrote letters to the district attorneys telling them to prosecute to the utmost all violations of the law,⁴ but replies were almost uniformly to the effect that no tangible breach of the law had occurred. No doubt the attorneys frequently sympathized with the movement, and it will not be contended that the executive was indifferent to the success of the Texan rebels, but it is a fact that convictions would have been impossible. Judges Thompson and Betts of the United States circuit court of southern New York

¹ Many newspapers and some documents in the Archives of Texas might be quoted in support of the statements made above.

² To Governor Smith, January 10, 1836, archives of Texas, D 3237.

³ 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., pp. 716, 720; 24 Cong., 1 sess., *House Exec. Doc.*, No. 256, Vol. VI., pp. 29, 30; 24 Cong., 2 sess., *Sen. Doc.*, No. 1, pp. 40, 65, 87.

⁴ 25 Cong., 2 sess., *House Exec. Doc.*, No. 74, Vol. III., pp. 3-4, 23; 24 Cong., 1 sess., *House Exec. Doc.*, No. 256, Vol. VI., p. 36; 24 Cong., 2 sess., *Sen. Doc.*, No. 1, p. 42.

replied to the grand jury's request for information that it was not a breach of the law to hold meetings in New York and appoint committees "to provide means and make collections for the purpose of enabling the inhabitants of Texas to engage in a civil war with the sovereignty of Mexico, now at peace with the United States". The law applied, said the court, only to military expeditions carried on from the United States, and donations were in no sense a "beginning or setting on foot or providing the means for" a military expedition from the United States.¹ It did not apply to individuals either, and was evaded by the contention that the volunteers were emigrating to Texas as individual citizens. An editorial in the *New Orleans Commercial Bulletin* declared that it did not mean "to prevent any citizen from taking passage in any merchant vessel, to go *anywhere* and with *any* intent, and with arms and munitions of war".² In the face of popular opinion and the defects of the law it was little enough, therefore, that the government could do.

In this connection should be mentioned the President's endorsement on a letter from Stephen F. Austin. Austin, with William H. Wharton and Branch T. Archer, had been appointed by the provisional government of Texas to negotiate loans and otherwise enlist sympathy in the United States. The commissioners were not very successful in obtaining money, and as news continued to reach them of the desperate situation in Texas Austin became frantic. On April 15, 1836, less than a week before the battle of San Jacinto, he addressed a letter to "Andrew Jackson, Martin Van Buren, Richard M. Johnson, John Forsyth, Lewis Cass, T. H. Benton, and to any member of the Cabinet or Congress of all parties and all sections of the United States". In it he begged that Texas be given a share in the distribution of the surplus revenue of the United States. General Jackson endorsed this: "The writer did not reflect that we have a treaty with Mexico, and our national faith is pledged to support it. The Texans before they took the step to declare themselves Independent which has aroused all Mexico against them ought to have pondered well—it was a rash and premature act, our neutrality must be faithfully maintained."³

¹ 25 Cong., 2 sess., *House Doc.*, No. 74, Vol. III., pp. 5-8.

² *New Orleans Commercial Bulletin*, November 25, 1835.

³ Jackson MSS. A copy of the letter without the endorsement can be found in the Austin Papers, and it is printed in Raines, *A Year Book for Texas*, II. 435-436.

In July, 1836, P. W. Grayson and James Collinsworth presented themselves as agents of the Texas government, but Forsyth told them that he could not deal with them officially, since their credentials lacked the seal of their govern-

Another question of neutrality arose over the occupation of Nacogdoches by Major-General E. P. Gaines, after the revolution was practically over. He was ordered to the south-western frontier, January 23, 1836, to enforce neutrality and keep the Indians quiet.¹ By the thirty-third article of the treaty of April 5, 1831, the United States and Mexico had mutually pledged themselves to restrain the Indians under their respective jurisdictions from hostilities and incursions,² and it was now feared that conditions in Texas might encourage the Mexican Indians to commit depredations which the Mexican government was in no position to punish, and that this disorder would in turn extend itself to the United States side of the border. In such an event our government held that it would be its duty to cross the frontier and check the hostilities. On a hypothetical statement of the case the Mexican minister, Gorostiza, agreed with Forsyth in this view, September 23, 1836, but he was careful to add that he was sure no such measures were required on the Texas frontier.³ Gaines's attitude is disclosed by a letter of March 29 to the secretary of war. He said:

Should I find any disposition on the part of the Mexicans or their red allies to menace our frontier, I cannot but deem it to be my duty not only to hold the troops of my command in readiness for action in defence of our slender frontier, but to anticipate their lawless movements, by crossing our supposed or imaginary national boundary, and meeting the savage marauders wherever to be found in their approach towards our frontier.⁴

With this disposition Gaines was perhaps none too critical of the evidence that came before him. On the strength of it he moved over to the Sabine in the latter part of April. Early in May he was instructed to use his discretion about crossing the boundary, but to go no further than Nacogdoches. Gorostiza protested that the United States had no right to enter the disputed territory,⁵ and

ment. Besides, the President would not act definitely upon the subject of Texas until he had received the report of a confidential agent. He suggested, however, that they write him a private letter setting forth the essential terms of their instructions. This they did, stating the terms on which the annexation of Texas to the United States would be highly acceptable to the people of Texas. P. W. Grayson and James Collinsworth to Forsyth, July 14, 1836; Forsyth to Jackson, July 15, 1836. Jackson MSS. The letter of Grayson and Collinsworth bears date of July 16, but Forsyth says that the date is an error, as he received the letter on the 14th.

¹ 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., p. 765.

² *United States Treaties and Conventions* (ed. 1889), 673.

³ 25 Cong., 2 sess., *Sen. Doc.*, No. 1, pp. 84, 89.

⁴ 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., p. 768.

⁵ 24 Cong., 1 sess., *House Exec. Doc.*, No. 256, Vol. VI., pp. 32-33, 35; 25 Cong., 2 sess., *House Exec. Doc.*, No. 190, Vol. VII., p. 75.

Forsyth replied that Gaines had not been ordered to go to Nacogdoches, but not to go beyond it; he hoped that it would not be necessary, but firmly asserted that under certain conditions the United States would be justified in taking the step by the treaty of 1831.¹ On June 28 Gaines did cross the river and occupy Nacogdoches, which he held for several months. Reports soon got into the papers and Gorostiza repeatedly asked if they were true,² but as late as October 4 Forsyth disclaimed any direct knowledge of the matter.³ On October 15 Gorostiza asked for his passports, and abandoned his extraordinary mission to the United States,⁴ an act which his government fully approved.⁵ He declared that General Gaines got his information about the Indians from Texans and their friends, which should have caused him to distrust it; his friendship for Texas was notorious, and had done Mexico great harm, thousands of volunteers having gone to help Texas who would not have done so otherwise.⁶ His charge was not entirely true. Lieutenant Bonnel made an independent investigation and found evidence to indicate that Indians on the United States side were being instigated to invade Texas.⁷

To admit, however, that Gaines was over-credulous and extremely pro-Texan in sympathy is still far from showing that Jackson wished him to be so. On the contrary, it is evident that while the President was quite easy in his own mind as to his right under the treaty to cross the boundary as a necessary measure of defense he wanted no question of the necessity to exist. He had to invest General Gaines with discretionary powers, but he wrote him September 4—unfortunately a rather belated caution, one must concede—to be very “careful not to be deceived by the evidence on which an act involving so much responsibility” was to be justified; he must not take the step, “unless the peace of the frontier be actually dissolved, or there be a moral certainty that the Indians are in hostile array for that purpose and are obtaining the means of operation from the Mexican territory”.⁸

The same attitude is maintained to the end of his “reign”. Referring in his message of December 5, 1836, to conditions in Texas he advised strict impartiality toward the belligerents, because “the

¹ 24 Cong., 1 sess., *House Exec. Doc.*, No. 256, Vol. VI., p. 33.

² 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., pp. 44-45, 47, 49, 52, 58, 63, 68, 91.

³ 25 Cong., 2 sess., *House Exec. Doc.*, No. 190, Vol. VII., p. 106.

⁴ 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., p. 100.

⁵ 24 Cong., 2 sess., *Sen. Doc.*, No. 160, Vol. II., p. 85.

⁶ 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., p. 100.

⁷ 25 Cong., 2 sess., *House Exec. Doc.*, No. 351, Vol. XII., p. 774.

⁸ Abstract of the letter in 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., p. 84.

known desire of Texas to become a part of our system . . . is calculated to expose our conduct to misconstruction in the eyes of the world".¹ And again on December 22 he recommended delay in recognizing the independence of Texas, "at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty, and to uphold the government constituted by them".² Finally, when Santa Anna, just released from his chains in Texas, visited Washington in January, 1837, and proposed a cession of Texas to the United States for a "fair consideration", he was answered that

as matters now stood, the U. S. could not act in the matter until we were placed in a situation to know the disposition of the Texians, when we would with pleasure when asked by the two powers interpose with our good offices to restore harmony between them. Until Texas is acknowledged Independent we cannot receive her minister or hold any correspondence with her as a nation. And as the Genl thro his Minister here cannot act³ We can only instruct our Minister at Mexico to receive any proposition her Government may make on the subject—Until we hear her views we cannot speak to Texas.

Having then outlined to Santa Anna a proposal which under certain conditions the United States might make for an extension of her boundary to include Texas and northern California, the President continued,

But it must be understood that this proposition is made to meet the views of the Genl, and not by the U. States to acquire Territory or take advantage of the disturbed state of Mexico but to meet the wishes of her Government and secure peace and tranquility on our respective borders and lay the foundation of a permanent tranquility between the U. S. and Mexico that has so happily existed, and which has been like to have been interrupted by the civil war in Texas.⁴

¹ Richardson, *Messages and Papers of the Presidents*, III. 237-238.

² *Ibid.*, 265-269. It is likely that Van Buren helped the President to frame this message. At least, so much is indicated by the following memorandum (copy), found among the Van Buren MSS.: "The great and delicate question of, shall we acknowledge the Independence of Texas,—is the evidence contained in the report of our confidential agent Mr Moffet [Morfit], sufficient to shew that Texas has a de facto Govt. and the means to support it. See the Resolutions of Congress and compare the facts contained in the report with it—see report on which the independence of So America was acknowledged."

³ On May 20, 1836, the Mexican Congress passed a resolution not to recognize any act of Santa Anna's while he was a prisoner. Gorostiza transmitted a copy of this to President Jackson, July 9, 1836, 24 Cong., 2 sess., *Sen. Doc.*, No. 1, Vol. I., p. 37

⁴ Memorandum among the Jackson MSS., no date.

Throughout his administration General Jackson displayed, it seems to the writer, a desire to maintain unsullied the dignity and honor of the United States in regard to the Texas question. He was not the most fortunate in his choice of agents, perhaps, and certainly Butler ought to have been summarily recalled; but he did not connive at Houston's revolutionary scheme, whatever it may have been; he heartily condemned Butler's tortuous plotting; he did what the law permitted to enforce neutrality when the revolution began; he disapproved Gaines's invasion of Nacogdoches on the strength of the evidence submitted; and he opposed precipitate recognition of the new state when the revolution was accomplished. We are judging him largely by his own words, it is true, but one has much to do who proves that they were not sincere. For the general was characteristically neither a hypocrite nor a liar.

EUGENE C. BARKER.